



de maximis, inc.

186 Center Street
Suite 290
Clinton, NJ 08809
(908) 735-9315
(908) 735-2132 FAX

June 15, 2009

VIA ELECTRONIC & US MAIL

Ms. Alice Yeh
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: *Monthly Progress Report No. 25 – May 2009*
*Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)*
*CERCLA Docket No. 02-2007-2009***

Dear Ms. Yeh:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- EPA-CPG Modeling Progress Call was held on May 21, 2009.
- A call was held with EPA on May 21 to discuss their preliminary comments on the revised Problem Formulation Document (PFD).
- A conference call was conducted with EPA and Partner Agencies on May 28 to discuss issues associated with Early Life Stage Fish Toxicity Testing.

Ms. A. Yeh
LPRSA RI/FS - Progress Report No.25 – May 2009
June 15, 2009
Page 2 of 3

Correspondence

- Draft Fish and Decapod Crustacean Tissue Collection for Chemical Analysis and Fish Community Survey Quality Assurance Project Plan (QAPP) submitted to EPA on May 1, 2009.
- Revised Draft LPRSA Human Health and Ecological Risk Assessment Streamlined 2009 Problem Formulation was submitted to EPA on May 15, 2009.
- Submitted the Draft Surface Sediment Chemical Analyses and Benthic Invertebrate Toxicity and Bioaccumulation Testing Quality Assurance Project Plan (QAPP) to EPA on May 22, 2009.

Work

- Data validation of the LRC sediment samples was completed in May in accordance with U.S. EPA Region 2 validation criteria and guidance.
- CPG is drafting the LRC Site Characterization Report which includes a description of the field activities, submittal of field records, analytical data results and presentation and summary of data validation results and outcome.
- The CPG team is modifying the Physical Water Column Monitoring program to consider data needs for Newark Bay.
- The CPG participated in the May 21st conference call on the status of the numerical model with US EPA and its contractors.
- The CPG team is working on completing the material requested by EPA both during the March 18-19 meeting and May 21st conference: Proposal for Organic Carbon and Mercury Model and Description and objectives for using a fine resolution hydrodynamic model of the LPR.
- The CPG team is setting up a sediment transport model of the LPR/NB using the version of SEDZLJ developed by QEA, as discussed during the February 26 meeting between EPA and CPG representatives.

(b) Results of Sampling and Tests

- PDFs of the lab data packages and copies of lab EDD files that were received in May 2009 are being provided to EPA under separate cover. A Region 2 MEDD submittal of data validated in May 2009 will be provided as an upload to the PREmis web portal in June.
- Data validation reports were submitted to EPA on May 22 and May 29.

Ms. A. Yeh
LPRSA RI/FS - Progress Report No.25 – May 2009
June 15, 2009
Page 3 of 3

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

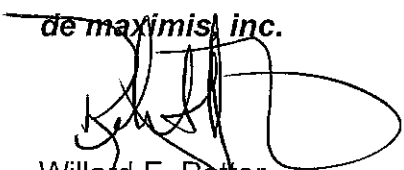
- The CPG will continue to prepare the QAPP for the Water Column - Physical Program for submission in June to initiate field work in late summer.
- The CPG is reviewing and performing QA/QC on the multibeam/single beam bathymetry data collected late in 2008.
- Completion of LRC data validation. Submittal of validated data set to EPA.
- CPG will finalize revisions to the RI/FS schedule.
- CPG will continue preparation of the LRC Site Characterization Report.
- CPG will continue preparation for implementation of the FSP2 QAPPs in August and September.

(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

~~de maximis inc.~~


Willard F. Potter
Project Coordinator

cc: Sarah Flanagan, EPA Office of Regional Counsel
Stephanie Vaughn, EPA
William Hyatt, CPG Coordinating Counsel
Lisa Baron, USACE
Tim Kubiak, USFWS
Reyhan Mehran, NOAA
Janine MacGregor, NJDEP
Elkins Green, NJDOT
Laura Kelmar, AECOM